

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Steve Somers)
Serial No. 10/007,189) Amendment filed 04-3-03
Filed 11-8-01) Group Art Unit 3723
For Socket Wrench) Examiner James Smith

AMENDMENT IN RESPONSE TO FEBRUARY 13, 2003 OFFICE ACTIONA) Amendment to the claims:

Claims 1-7 (Cancelled)

Claim 8 (currently amended) Socket wrench-making parts adapted to form a wrench with opposite outer ends with which can be applied over and rotate non-circular elements of at least two sizes, said parts including:

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a left and a right socket-forming and driver-receiving part each having [an] a first outer end to be located at a different [ond of the] opposite longitudinal outer ends of the wrench when the parts are assembled and an opposite second inner end, said left and right parts respectively having walls defining differently-sized, non-circular sockets in the first outer ends thereof to be located at the opposite longitudinal ends of the assembled parts and applied over differently sized elements to be rotated by the wrench, said sockets each having an end to be referred to as an outer end respectively opening thereat onto the exterior of the part involved so that the socket can be applied over and its defining walls interlock with a selected element of corresponding size to be rotated by said wrench[, the] and an opposite end [of each socket] opening onto a first smaller driver member-receiving bore in turn opening upon a second ball member-forming part-receiving bore, said first smaller driver member-receiving bore having bore-defining walls adapted to interlock with [a] an external driver member sized to be inserted into the open end of the associated larger outer socket and then moved inwardly into the associated driver member-receiving bore where it interlocks with said left or right [the] part involved so that rotation of the driver member will rotate the wrench and turn said element enveloped by said socket at the other end of the assembled wrench;

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a ball member-forming part adapted to be secured to and between the said second inner ends of said left and right socket-forming and driver-receiving parts, the said second inner ends of the left and right parts respectively having walls defining a pair of ball member-receiving surfaces, at least one of which is a ball-receiving bore, said ball member-forming part having a ball-forming end adapted to adjustably fit in said ball-receiving [member-receiving] bore of one of said left and right parts and an opposite end adapted to be fixedly mounted against the ball member-receiving surfaces of the other of said left and right parts; and

pivot-forming first and second means permitting the pivoting of said ball-forming end of said ball member-forming part in the ball-receiving bore involved at least in a plane which includes a longitudinal axis extending between the outer ends of the wrench.

9. (currently amended) The socket wrench-making parts of claim 8 wherein said pivot-forming first means is a pin extendable transversely through a slot in said ball-forming member, and said pivot-forming second means is said slot having an hour glass-shaped viewed in a longitudinal plane and a constant narrow shape of about the size of said pin viewed in a plane transverse to said axis, to permit rotation of one of said parts relative to the other of same in at least a longitudinal plane in the assembled wrench.

10. (currently amended) The socket wrench-making parts of claim 9 where there is also provided a spring mountable in one of said ball member-forming part-receiving [member-receiving] bores between the ball-forming end of said ball-forming member and an interior wall of at least one of said left and right socket-forming and driver member-receiving [member-receiving] parts to exert a resilient axial force on said ball-forming member permitting the other socket-forming and driver-receiving part to be pivoted in said longitudinal plane.

11. (currently amended) The socket wrench-making parts of claim 8 wherein said ball member-forming part-receiving bores of said left and right socket-forming and driver member-receiving parts and the opposite ends of said ball-forming member are of

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B1 substantially the same size and construction so that either end of said ball-forming member can be inserted into the second inner ends of the ball member-forming part-receiving bores of either one of said left and right socket-forming and driver member-receiving parts.

12. (currently amended) The socket wrench-making parts of claim 8 wherein said driver member-receiving bores of said left and right parts are of identical size and shape so that said driver member can be inserted into either one of driver member-receiving bores, whereby only one driver member is needed to rotate the wrench for the two different sizes of elements to be driven by the wrench.

13. (currently amended) A socket wrench which can be applied over and rotate non-circular elements of at least two sizes, said wrench having a longitudinal axis whose opposite longitudinal ends are adapted to fit over differently-sized non-circular elements, said wrench comprising:

B2 left and a right socket-forming and driver-receiving parts at the opposite longitudinal ends of said wrench, said parts having outer ends respectively located at the opposite longitudinal ends of the wrench and respectively having thereat walls defining differently-sized, non-circular sockets, said sockets each having an [end to be referred to as an] outer end opening thereat onto the exterior of the part involved at a different longitudinal end of the part involved so that the socket can be applied over and its defining walls interlock with a selected element of corresponding size to be rotated by said wrench[, the] and an opposite inner end of each socket opening onto a smaller driver member-receiving bore having bore-defining walls adapted to interlock with [a] an external driver member sized to be inserted into the open outer end of the associated larger outer socket and then moved longitudinally inwardly into the associated driver member-receiving bore where it interlocks with the part involved, so that rotation of the driver member will rotate the wrench and turn said element enveloped by said socket at the other end of the assembled wrench;

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a ball member-forming part having opposite longitudinal ends secured to and between [the] spaced but confronting second inner ends of said left and right socket-forming and driver-receiving parts, the second inner ends of the left and right latter parts having walls defining ball member-receiving bores receiving the opposite longitudinal ends of said ball member-forming part, one of said longitudinal ends of same ball member-forming part [ball-forming member] fitting within and interlocking with [the defining walls of] the ball member-receiving bore of one of said left and right socket-forming and driver-receiving parts so that rotation of said one part will impart similar rotation to said ball member-forming part [ball-forming member], and the other longitudinal end of said ball member-forming part is a ball-forming end which fits into the ball member-receiving bore of the other of said left and right parts [such part]; and

a pin extending transversely through a slot in said ball-forming member, said slot having an hour-glass shape viewed in a longitudinal plane and a constant narrow shape of about the size of said pin viewed in a plane transverse to said axis, to permit rotation of one of said [parts relative to the other of same in at least the longitudinal plane in the wrench.

14. (currently amended) The socket wrench-making parts of claim 8 wherein said driver member-receiving bores of said left and right parts are of identical size and shape so that one driver member can be inserted into either one of driver member-receiving bores, whereby only one driver member is needed to rotate the wrench for the two different sizes of elements to be driven by the wrench.

... context of the wording of the rest of the claims involved. This wording makes it clear that the parts make what is called in the auto repair field in which the inventor works a "socket wrench". Claims 13 claims an assembly of these parts and thus begins with the expression "A socket wrench". Reconsideration of this objection is respectfully requested.

The Examiner also objects to the various uses of the term "outer end" or "outer ends". It is submitted that the different uses of "outer" are proper, especially in light of the present amendments to the claims.

Reconsideration of the rejection of the claims as being unpatentable over Jarvis or Martinez in view of either Gadberry or Bellows is respectfully requested. It is submitted that one of ordinary skill in the art without knowledge of applicant's claimed invention would not think of combining these references in a manner to meet all of the very detailed claim limitations and none of the these references contains a disclosure which would teach how this would or could be achieved. The claims describe the details of the invention which permits the uniquely constructed and described wrench to rotate the differently sized nuts or other elements to be rotated by merely inserting a drive member into a selected one of the longitudinal ends of the wrench, while the other end fits over the element to be rotated.

The newly found Gadberry and Bellows patents disclose a very large and cumbersome wrench where the drive member is an offset